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TRANSMITTAL LETTER			DOCKET NUMBER: P-AR 4802
SERIAL NO: 09/942,098	FILING DATE: Aug. 28, 2001	EXAMINER: Not Assigned	GROUP ART UNIT: 1645
INVENTION: FRET PROTEASE ASSAYS FOR CLOSTRIDIAL TOXINS			

TO COMMISSIONER FOR PATENTS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C., 20231 on February 28, 2002.

By: Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

February 28, 2002  
Date of Signature

Transmitted herewith are the following documents in connection with the above-identified application:

1. Power of Attorney for Patent Application by Assignee.
2. Statement Under 37 C.F.R. §3.73(b) with copy of executed Assignment.

\_\_\_ Please charge my Deposit Account No. 03-0370 the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.

X The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

X The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Andrea L. Gashler  
Andrea L. Gashler  
Registration No. 41,029  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
858-535-9001  
USPTO CUSTOMER NO. 23601



STATEMENT UNDER 37 C.F.R. § 3.73(b)

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Linda 4/18/02

Title of Application: FRET PROTEASE ASSAYS FOR CLOSTRIDIUM TOXINS  
Application Ser. No.: 09/942,098  
Filed: August 28, 2001  
Inventor(s): Steward et al.  
Attorney Docket No.: P-AR 4802

ALLERGAN SALES, INC., a corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: February 22, 2002

Signature: *M. A. Voet*

Name: Martin A. Voet

Title: Vice President, Chief Intellectual Property Counsel and Assistant Secretary



POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE

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# Linda 4/17/02

Assignee ALLERGAN SALES, INCORPORATED, is the owner of the entire right, title and interest of U.S. patent application Serial No. 09/942,098, filed on August 28, 2001, as attorney docket number P-AR 4802, and entitled FRET PROTEASE ASSAYS FOR CLOSTRIDIAL TOXINS, and any subsequently filed divisional, continuation, continuation-in-part or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:


CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ANDREA L. GASHLER, Registration No. 41,029; JAMES J. WONG, Registration No. 34,949; DEBORAH L. CADENA, Registration No. 44,048; MELANIE K. WEBSTER, Registration No. 45,201; ASTRID R. SPAIN, Registration No. 47,956; MARGARET M. PARR, Registration No. 48,111; KIMBERLY J. PRIOR, Registration No. 41,483; MARTIN A. VOET, Registration No. 25,208; ROBERT BARAN, Registration No. 25,806; CARLOS A. FISHER, Registration No. 36,510; STEPHEN DONOVAN, Registration No. 33,433; CYNTHIA O'DONOHUE, Registration No. 44,980.

Inventors: Steward et al.  
Serial No.: 09/942,098  
Filed: August 28, 2001  
Page 2 of 2

Please direct all telephone calls to Cathryn Campbell  
at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL  
CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
USPTO CUSTOMER NO. 23601

The undersigned is authorized to sign on behalf of the  
Assignee.

Signature:	<u></u>
Name (typed):	<u>Martin A. Voet</u>
Title:	<u>Vice President,</u> <u>Chief Intellectual Property Counsel</u>
Assignee:	<u>and Assistant Secretary</u> <u>ALLERGAN SALES, INCORPORATED</u>
Date:	<u>February 22, 2002</u>



POWER OF ATTORNEY FOR PATENT  
APPLICATION BY ASSIGNEE  
Attorney Docket No.: P-AR 4802  
Serial No.: 09/942,098

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By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029  
February 28, 2002  
Date of Signature

COPY

Docket No. 17451(BOT)  
Serial No. 09/942,098

## ASSIGNMENT

WHEREAS we, Lance E Steward of ORANGE COUNTY, CALIFORNIA, Ester Fernandez-Salas of ORANGE COUNTY, CALIFORNIA and Kei Roger Aoki of ORANGE COUNTY, CALIFORNIA (hereinafter referred to as ASSIGNOR), have invented and own a certain invention entitled: FRET PROTEASE ASSAYS FOR CLOSTRIDIAL TOXINS for which I have executed a non-provisional application claiming priority thereto, for Letters Patent of the United States, said non-provisional application having been filed August 28, 2001 under application number 09/942,098.

WHEREAS: Allergan Sales, Inc., having its principal place of business at 2525 Dupont Drive, Irvine, CA 92612 (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that in consideration of the payment by ASSIGNEE TO ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, divisional, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalent thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this

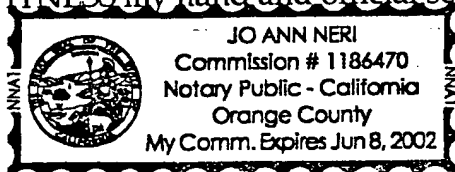
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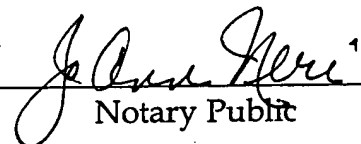
  
Lance E. Steward

State of California )  
 ) ss:  
County of Orange )

On OCTOBER 2, 2001 before me, JO ANN NERI, NOTARY PUBLIC,  
personally appeared LANCE E. STEWARD  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the  
person(s) whose name(s) is/ ~~are~~ subscribed to the within instrument and acknowledged  
to me that he/ ~~she/they~~ executed the same in his/ ~~her/their~~ authorized capacity(~~ies~~), and  
that by his/ ~~her/their~~ signature(s) on the instrument the person, or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



  
Notary Public

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this

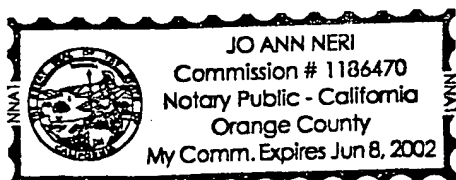
October 2nd, 2001.

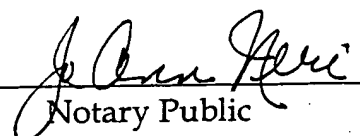
  
Ester Fernandez-Salas

State of CALIFORNIA )  
 ) ss:  
County of Orange )

On OCTOBER 2, 2001 before me, JO ANN NERI, NOTARY PUBLIC,  
personally appeared ESTER FERNANDEZ-SALAS  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the  
person(s) whose name(s) is/ ~~are~~ subscribed to the within instrument and acknowledged  
to me that he/ ~~she/they~~ executed the same in his/ ~~her/their~~ authorized capacity(~~ies~~), and  
that by his/ ~~her/their~~ signature(s) on the instrument the person, or the entity upon  
behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



  
Notary Public

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this

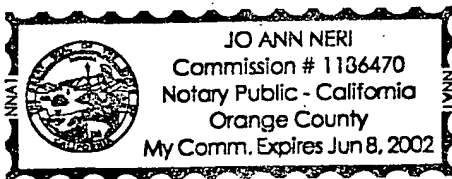
Oct 2, 2001.

Kei Roger Aoki  
Kei Roger Aoki

State of CALIFORNIA )  
 ) ss:  
County of Orange )

On OCTOBER 2, 2001 before me, JoAnn Neri, NOTARY PUBLIC,  
personally appeared KEI ROGER AOKI  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the  
person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged  
to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and  
that by his/~~her/their~~ signature(~~s~~) on the instrument the person, or the entity upon  
behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.



JoAnn Neri  
Notary Public